

United States Senate

March 26, 2010

The Honorable Lisa Jackson
Administrator of the Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson:

In 1999 Libby Montana was declared a Superfund site. Since that time asbestosis has claimed the lives of over 200 people and threatens over a 1000 more in a community that would barely cover a few city blocks of New York. Today the community of Libby is on the precipice of a new decision: the issuing of their first Record of Decision. As much as I want to see the community of Libby proceed toward "clean" so that the citizens of that community can work toward returning to their daily lives, we must also assure that the standards of public health and welfare are attained. To that end, I ask that you consider and respond to these five requests to make sure that the citizens of Libby get the attention and information they deserve to make informed choices about their future.

First, I ask that you not issue a final Record of Decision (ROD) in relation to OU1 and OU2. The decisions these RODs are formed upon dictate the future thresholds for how much scientific input is needed to make a binding decision. Instead, I ask that you issue an Interim ROD so that the work may continue and clean-up can proceed while leaving room for the ROD to be adjusted as future science dictates. The City-County Health Board, who the EPA asked to be the voice for the community, has asked the EPA to consider their position against on issuing a final ROD. I support the community voice from Libby and request that you respect their interests.

Second, I ask that a person within the Administrator's office be assigned as a point person for Libby. This is an issue of national significance and it should be treated as such by having direction from the Secretary's office.

Third, I ask that you visit Libby within the next six months to understand the complex nature of this clean up and draw national attention to the issues which must be addressed to help the residents of Libby. You indicated you would visit Libby the last two times you appeared before the Senate Interior Appropriations Subcommittee.

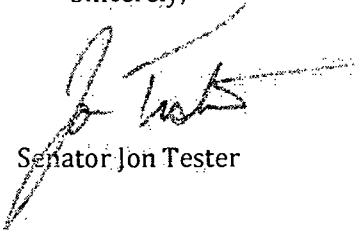
Fourth, once a person in the Administrator's office is tasked with overseeing Libby, we need to work together to develop a communication plan with the residents of Libby to assure the issues are explained. Though you have an action plan, a communication plan with local support will ameliorate a variety of problems. Many of the major issues with the cleanup can be addressed with a strong community engagement and information plan whose goal is to invite participation rather than dictate policy.

Finally, our offices need to make sure that there is continued emphasis on the science that is being produced from Libby. The research performed in Libby is cutting edge in this field; therefore we need to invest to make sure we have the best information to guide this and future cleanup efforts with asbestos.

These issues are complex and they do not always have easy answers. But, the citizens of Libby and the United States deserve our attention. For that reason, I implore you to restore Libby to a standard which protects human health so these citizens can continue to live in the beautiful place they call home.

Thank you for considering my request.

Sincerely,



Senator Jon Tester